

THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

Prokop Labs LLC, a Washington limited  
liability company

Plaintiff,

v.

STAPLES, INC., a Delaware corporation;  
STAPLES THE OFFICE SUPERSTORE  
LLC, a Delaware limited liability  
company; BELKIN, INC., a Delaware  
corporation; BELKIN LOGISTICS, INC.,  
a Delaware corporation; S.P. RICHARDS  
CO., a Georgia corporation; and VELO  
ENTERPRISE CO., LTD., a Taiwan  
corporation,

Defendant.

**Case No. 2:07-cv-01094-MJP**

**PLAINTIFF'S REPLY TO DEFENDANT  
VELO'S COUNTERCLAIMS**

Plaintiff Prokop Labs LLC ("Prokop") responds to the Counterclaims filed by  
Defendant Velo Enterprise Co., Ltd ("Velo") as follows:

1. With respect to Paragraph 29, Prokop repeats the allegations contained in  
paragraphs 1 through 15 of the Complaint as if fully set forth herein.

**AS TO DECLARATORY JUDGMENT OF NONINFRINGEMENT**

2. Prokop admits the allegations of Paragraph 30.

3. Prokop denies the allegations of Paragraph 31.

PLAINTIFF'S REPLY TO DEFENDANT  
VELO'S COUNTERCLAIMS  
(07-CV-01094)  
66862-0001/LEGAL13933815.1

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1 4. Prokop admits the allegations of Paragraph 32.

2 5. With respect to Paragraph 33, Prokop admits that Velo requests declaratory  
3 judgment that Velo does not infringe any claim of the '913 patent.

4 **AS TO DECLARATORY JUDGMENT OF INVALIDITY**

5 6. Prokop denies the allegations of Paragraph 34.

6 7. Prokop admits the allegations of Paragraph 35.

7 8. With respect to Paragraph 36, Prokop admits that Velo requests declaratory  
8 judgment that the '913 patent is invalid.

9 9. To the extent any allegations of the counterclaims are not admitted above, they are  
10 denied.

11 **AFFIRMATIVE DEFENSES**

12 In further response to the Counterclaims of Defendant Velo and/or as an Affirmative  
13 Defense, Prokop alleges as follows:

14 10. Velo is not entitled to any equitable relief because of the doctrine of unclean  
15 hands.

16 **PRAYER FOR RELIEF**

17 WHEREFORE, Prokop prays for the following relief:

18 A. That Defendant Velo's Counterclaims be dismissed with prejudice and that Velo  
19 take nothing by way of such Counterclaims;

20 B. For a declaratory judgment under 28 U.S.C. § 2201 that the '913 patent is valid  
21 and infringed by Velo; and  
22  
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1 C. For such other and further relief that the Court deems just and proper.

2  
3 DATED: February 1, 2008

4 PERKINS COIE LLP

5  
6 By: /s/ Jerry A. Riedinger  
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CERTIFICATE OF SERVICE

I hereby certify that on February 1, 2008, I electronically filed the foregoing with the Clerk of the U.S. District Court for the Western District of Washington using the CM/ECF system which will send notification of such filing to the registered participants in this matter.

I also caused it to be served on the parties below as follows:

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Dated this 1st day of February, 2008, at Seattle, Washington.

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